



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,889	01/16/2004	Pratik M. Mehta	016295.1518 (DC-05677)	6993

23640 7590 04/17/2007
BAKER BOTTS, LLP
910 LOUISIANA
HOUSTON, TX 77002-4995

EXAMINER

YOUNG, NICOLE M

ART UNIT	PAPER NUMBER
----------	--------------

2139

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/17/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/758,889

Applicant(s)

MEHTA ET AL.

Examiner

Nicole M. Young

Art Unit

2139

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☒ Claim(s) 1, 15 and 16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1/16/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities:

Page 8 line 30 and page 9 line 1, "Internet 14" should be "Internet 16" as in Figure 1.

Delete "no" from the end of page 10 line 30.

Appropriate correction is required.

Claim Objections

Claims 1, 15, and are 16 objected to because of the following informalities:

Delete "52" from claim 1.

Claims 15 and 16 should state "the method of claim 11".

Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-5, 11, 14, and 17-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 1 is rejected because it includes a non-tangible result in the case that the identifier code does not match the unique key-code. **Claims 2-5** are dependent claims that do not further provide a tangible result for a negative determination.

Claim 11 is rejected because it includes a non-tangible result in the case that the identifier code does not match the unique key-code. **Claim 14** is dependent on claim 11 and does not further provide a tangible result for a negative determination.

Claim 17 is rejected because it includes a non-tangible result in the case that the identifier code does not match the unique key-code. **Claims 18-20** are dependent claims that do not further provide a tangible result for a negative determination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 11-13, 15-17, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by **Sun et al. (US 2004/0078597)** herein referred to as Sun.

Claim 1 discloses a method for activating a wireless network security with a wireless host, comprising:

establishing a communication connection with a client (Fig. 4 steps 405, 410, and associated text);

in response to the communication connection, automatically requesting from the client a determination of whether to activate the wireless network security (Fig. 4 step 410 and associated text);

upon receipt of the determination to activate the wireless security network, automatically requesting an identifier code from the client; and 52 (Fig. 4 steps 415, 425, 420 and associated text)

activating the wireless security network to secure the wireless host if the identifier code matches a unique key-code that is physically located on the wireless host (Fig. 4 steps 430-455 and associated text).

Claim 2 discloses the method of Claim 1, further comprising registering the client with the wireless host such that the wireless host is able to identify the client upon subsequent connections (Fig. 4 steps 415, 425 and associated text).

Claim 3 discloses the method of Claim 1, further comprising saving the configuration setting on the client as part of a profile or a service set identifier (SSID) such that access to the wireless host is maintained (paragraphs [0041] and [0042]).

Claim 11 discloses a method of accessing a secured wireless network deployed from a wireless router using a client, comprising:

establishing a communication connection with a client (Fig. 4 steps 405, 410, and associated text);

in response to the communication connection, automatically requesting from the client an identifier code to access the secured wireless network (Fig. 4 step 410 and associated text); and

allowing access to the secured wireless network on the wireless router if the identifier code matches a unique key-code that is physically located on the wireless router (Fig. 4 steps 425-455 and associated text, the username, password and domain

are sent to the AP which authenticates it, therefore the Examiner interprets the AP has the credentials stored on it).

Claim 12 discloses the method of Claim 11, further comprising denying access to the secured wireless network if the identifier code supplied by the client does not match the unique key-code (Fig. 4 step 450 and paragraph [0049] where the Examiner interprets sending an error message to be denying access).

Claim 13 discloses the method of Claim 12, further comprising, in response to denying access to the secured wireless network, disassociating the communication connection with the wireless router code (Fig. 4 step 450 and paragraph [0049] where the Examiner interprets sending an error message to be denying access).

Claim 15 discloses the method of Claim 10, further comprising registering the client with the wireless router such that the wireless router is able to identify the client upon subsequent connections (paragraphs [0041] and [0042]).

Claim 16 discloses the method of Claim 10, further comprising saving the configuration setting on the client as part of a profile or a service set identifier (SSID) such that access to the wireless host is maintained (paragraphs [0041] and [0042], Fig. 9 and associated text).d

Claim 17 discloses a system for deploying a wireless network security with a wireless router, comprising:

a wireless router having a unique key-code physically located on the router (Fig. 4 steps 425-455 and associated text, the username, password and domain are sent to

Art Unit: 2139

the AP which authenticates it, therefore the Examiner interprets the AP has the credentials stored on it);

a client operably maintains a communication connection with the router, the client operable to activate a wireless security network to secure the router if the client transmits an identifier code to the router wherein the identifier code matches a unique key-code that is physically located on the router (Fig. 4 steps 405 through 455 and associated text).

Claim 20 discloses the system of Claim 17, wherein the client is an information handling system (Paragraph [0016] teaches the client as computer).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 4, 5, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Sun et al. (US 2004/0078597)** herein referred to as Sun and further in view of **Ayyagari et al. (US 7,120,129)** herein referred to as Ayyagari.

Claim 4 discloses the method of Claim 1, further comprising following the activation of the wireless security network, changing the unique key-code to a personal code selected by the client.

Sun does not teach but Ayyagari teaches changing the unique key-code to a personal code selected by the client. Ayyagari column 10 lines 8-30 teach changing the default SSID (interpreted as the unique-key code) on the Ad Hoc mode (interpreted to be the access point of Sun) to a personal code. This would be obvious to a person of ordinary skill in the art at the time of invention. The motivation to combine is Ayyagari column 10 lines 21-30.

Claim 5 discloses the method of Claim 4, further comprising resetting the unique key-code to a factory default.

Sun does not teach but Ayyagari teaches changing the unique key-code to a personal code selected by the client. Ayyagari column 10 lines 8-30 teach changing the default SSID (interpreted as the unique-key code) on the Ad Hoc mode (interpreted to be the access point of Sun) to a personal code. This would be obvious to a person of ordinary skill in the art at the time of invention. The motivation to combine is Ayyagari column 10 lines 21-30. It would also be obvious to one of ordinary skill in the art at the time of invention that the user could change the key back to the factory default.

Art Unit: 2139

Claim 14 discloses the method of Claim 11, further comprising, in response to allowing access to the secured wireless network, changing the unique key-code that is physically located on the wireless router to a personal code supplied by the client.

Sun does not teach but Ayyagari teaches changing the unique key-code to a personal code selected by the client. Ayyagari column 10 lines 8-30 teach changing the default SSID (interpreted as the unique-key code) on the Ad Hoc mode (interpreted to be the access point of Sun) to a personal code. This would be obvious to a person of ordinary skill in the art at the time of invention. The motivation to combine is Ayyagari column 10 lines 21-30.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Sun et al. (US 2004/0078597)** and further in view of **Jacobs et al. (US 6,993,552)** herein referred to as Jacobs.

Claim 6 discloses the method of Claim 1, further comprising, in response to the determination of not to activate the wireless network security, setting a reminder flag.

Sun does not teach but Jacobs teaches setting a reminder flag if it is determined not to activate the wireless network security. Jacobs column 8 lines 16-29 teach placing an object in a queue if the user does not immediately wish to process it. It would be obvious to one of ordinary skill in the art at the time of invention to set a reminder to activate the wireless security if the user did not want to process it. This motivation is shown in Jacobs column 8 lines 18-23)

Claim 7 discloses the method of Claim 6, wherein the remainder flag comprises a reminder time period such that a second request is made from the client for the determination to activate the wireless security network after the expiration of the reminder time period.

The motivation to combine is the same as in the rejection of Claim 6. Sun does not teach but Jacobs does teach setting an amount of time until the user processes the object in column 8 lines 19-26).

Claim 8 discloses the method of Claim 6, wherein the reminder flag comprises a reminder condition such that a second request is made from the client for the determination to activate the wireless security network upon a subsequent communication connection.

Art Unit: 2139

The motivation to combine is the same as above. Sun does not teach but Jacobs teaches in column 8 lines 19-26 setting a pre-determined time to prompt the user to process the object.

Claim 9 discloses the method of Claim 6, wherein the reminder flag comprises a never-reminder response.

The motivation to combine is the same as above. Sun does not teach but Jacobs teaches in column 8 lines 43-49 that the user can respond "NO" and the object will be deleted from the queue and never processed.

Claim 10 discloses the method of Claim 6, further comprising registering the client to save configuration information on the client such that the wireless host recognizes the client on a subsequent communication connection (Fig. 4 steps 415, 425 and associated text, and rejection of claim 6).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Sun et al. (US 2004/0078597)** herein referred to as Sun and further in view of **Arnold et al. (US 2003/0105542)** herein referred to as Arnold.

Claim 18 discloses the system of Claim 17, wherein the unique key code is a service tag supplied with the router.

Sun does not teach but Arnold teaches the unique key code as a service tag in paragraph [0025]. "Each information system...service tag number". It would be obvious to one of ordinary skill in the art at the time of invention to use the service tag number as the unique key code as stated in paragraph [0025] that information handling systems such as routers are identified in the factory the service tag being a unique identifier (interpreted as the unique key code).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.

Art Unit: 2139

3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Sun et al. (US 2004/0078597)** herein referred to as Sun and further in view of **Fascenda et al. (US 2004/0068653)** herein referred to as Fascenda.

Claim 19 discloses the system of Claim 17, wherein the unique key code is a local area network (LAN) media access control (MAC) address supplied with the router.

Sun does not teach but Fascenda teaches the unique key code as the MAC address of the router in paragraph [0054], "basic... NKR." It would be obvious to one of ordinary skill in the art at the time of invention to use the MAC address as the unique key code. The motivation would be as in paragraph [0054] where the client uses the AP (access point interpreted to be router) MAC address to authenticate to the AP.

Note: Examiner has pointed out particular references contained in the prior arts of record and in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. Applicant should consider the entire prior art as applicable to the limitations of the claims. It is respectfully requested from the applicant, in preparing for response, to consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the Examiner.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure, see attached PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicole M. Young whose telephone number is 571-270-1382. The examiner can normally be reached on Monday through Friday, alt Fri off, 8:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NMY

Taghi J. Arani
Primary Examiner
Taghi J. Arani
2/11/07